

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO on the)	
relation of State Engineer,)	
)	
Plaintiff,)	
)	69cv07941- JEC-ACE
-v-)	
)	RIO CHAMA STREAM SYSTEM
RAMON ARAGON et al.,)	
)	
Defendants.)	
_____)	

MOTION OF SPECIAL MASTER
FOR INTERIM FEES AND EXPENSES

TO: The Honorable John E. Conway
United States District Judge

FROM: Vickie L. Gabin
Special Master

A Motion requesting the Court to approve interim fees and expenses, a brief summary of the work performed, and the Special Master's Declaration in support of Motion

This Motion is submitted pursuant to the Administrative Order entered February 23, 1995, regarding the manner in which the Special Master, law clerk, data manager and other personnel required by the Special Master are paid for services, costs, expenses and New Mexico gross receipts taxes related to this adjudication. The Special Master hereby moves for an order of the Court approving interim fees and expenses for work performed in this case from July 1, 2000 through December 31, 2000. Most of the fees and expenses have already been paid from the trust account.

I. WORK PERFORMED

A. Case management

1. Work on errors and omissions in mainstem subfiles is continuing by the parties under the supervision of the court's data manager. The data manager has been working on transferring data in the Court's data base to the State of New Mexico.

2. The Office of the State Engineer filed hydrographic surveys for the Rio Cebolla and Rio Canjilon subsections of Section 3 July 17 and August 24, 2000. Hydrographic surveys for Section 7, Tierra Amarilla, will be filed in 2001.

B. Section 5 adjudication

The adjudication of individual water rights claimants proceeds pursuant to the Procedural Order of March 15, as amended. I reviewed and signed numerous consent orders, and held two status conferences, the second in Gallina to assess the status of the individual subfiles, meet with community members and tour the area within the adjudication boundaries. I have scheduled a conference for February 22 to schedule hearings on disputed subfile orders and set deadlines for resolving the outstanding priority and duty issues.

C. Section 3 adjudication

The adjudication of individual water rights claimants proceeds pursuant to the Procedural Order I entered July 25. The bulk of the field sessions and further town meetings will be scheduled in the spring.

D. Pending reports

While day-to-day case management of the federal cases takes the majority of my time, I continue to work on two pending special master reports - the United States' Wild and Scenic River

claims, and priorities for three mainstem acequias.

E. Federal and Indian water rights claims

Pursuant to the Procedural Order I entered for Section 5, the State of New Mexico has reviewed the claims of the United States of America; further planning and scheduling will occur at the February 22 conference. December 11, I entered a Procedural Order for adjudicating federal, non-Indian claims in Section 3.

II. DECLARATION

DECLARATION OF SPECIAL MASTER IN SUPPORT OF MOTION

I, Vickie L. Gabin, declare that the work described above is the basis for my fee application, and that the work of data managers Judy Stoft and Karla McCall, and Geta A. Gatterman, paralegal and administrative assistant, has been completed as described. Hourly records of work performed are available from the contractors if needed.

Dated: January 31, 2001

/electronic signature/
VICKIE L. GABIN, SPECIAL MASTER